IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

(Special Original Jurisdiction)

THURSDAY, THE THIRTIETH DAY OF DECEMBER
TWO THOUSAND AND FOUR

PRESENT

THE HON'BLE MR. JUSTICE N.V. RAMANA

WRIT PETITION No. 24935 of 2004

Between:

A.Chittibabu, s/o Venkateswara Rao,
R/o Door No.9-65-30, Kothapet, Vijayawada.

..... PETITIONER

AND

1 Vijayawada Municipal Corporation, rep., by its Commissioner, Vijayawada.
2 Sri Palnati Rameshbabu, S/o Maheswara Rao,
R/o Mallikharjunapet, Vijayawada-520 001.
3 Sri Subba Rao,
R/o Near Vinayaka Temple, Canal Road, Vijayawada-520 001.

.....RESPONDENTS

Petition under Article 226 of the Constitution of India praying that in the circumstances stated in the affidavit filed herein the High Court will be pleased to issue an appropriate writ, order or direction, particularly a writ of mandamus, declaring the action of the 1st respondent as illegal and ultra vires to the provisions of Article 14 of the Constitution of India and also the mandatory provisions of the Hyderabad Municipal Corporation Act and the Rules framed thereunder on the subject from time to time, directing the 1st respondent Corporation to accept the offer given by the petitioner in respect of the contract of collecting parking fees as per the Tender Notification published bearing proceedings Rc.No.RJ-10-6459/2001 dated 15-12-2004.

Counsel for the Petitioner : Mr.V.S.R.ANJANEYULU

Counsel for Respondent No.1: Mr.T.S.VENKATARAMANA, S.C. for Vijayawada

Municipal Corporation.
Counsel for respondents 2 and 3: None appeared

The Court at the stage of admission made the following :

ORDER:

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The present writ petition is filed questioning the tender cum public Auction Notice dated 15-12-2004 for the period from 01-01-2005 to
31-12-2005 on the ground that the contractors had formed into a syndicate and offered only a sum of Rs.10.15 lakhs and that the petitioner is willing to pay Rs.12.50 lakhs and due to pendency of civil suit in O.S.No.1274 of 2004 on the file of the III Additional Senior Civil Judge's Court, Vijayawada, the first respondent is not granting the subject contract to him.

Though, several contentions were raised, on instructions, learned Standing Counsel for respondent submitted that the first respondent has decided to cancel the tender notification dated 15-12-2004 and to call for fresh tenders and no further orders are required to be passed in the present writ petition.

In the above circumstances, no further orders are required to be passed in the present writ petition and accordingly the writ petition is dismissed. However, the petitioner is at liberty to participate in the fresh tenders to be called for. No costs.

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N.V.RAMANA, J

Date: 30.12.2004

TVK/DA

To

1. The Commissioner, Vijayawada Municipal Corporation,
Vijayawada.

2. Two CD copies.